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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR. S-97-381 FCD
	)	
Plaintiff,	)	STIPULATION AND ORDER DIRECTING
	)	PREPARATION OF UPDATED
v.	)	PRESENTENCE INVESTIGATION
	)	REPORT AND SETTING RELATED
	)	DATES
BRYAN JAMES EPIS,	)	
	)	Date: August 1, 2005
Defendant.	)	Time: 9:30 p.m.
	)	Court: Hon. Frank C. Damrell

Whereas, the plaintiff United States of America and  
defendant Bryan James Epis believe that an updated Presentence  
Investigation Report ("PSR") would be helpful to both the Court  
and the parties in connection with the re-sentencing of Epis; and

Whereas, the parties desire an extended briefing schedule to  
allow for the adequate treatment of the legal and factual issues  
involved in re-sentencing Epis, and to accommodate the work  
schedules of the respective attorneys for the parties,

It is hereby stipulated and agreed by the parties, through  
their respective attorneys, with consultation with United States  
Probation Officer Dayna Ward and Courtroom Deputy Clerk Maureen  
Price, and subject to the approval of the Court that:

1           1.     The presently set briefing schedule for the filing of  
2 memoranda related to the resentencing of Epis and the August 1,  
3 2005, judgment and resentencing date be vacated;

4           2.     The Court direct the United States Probation Office to  
5 prepare an updated PSR on Epis by August 29, 2005;

6           3.     Any informal objections to the updated PSR shall be  
7 made by September 12, 2005;

8           4.     The Probation Office shall provide to the Court and the  
9 parties its final updated PSR by September 19, 2005;

10          5.     The parties shall file any sentencing memoranda and  
11 formal objections to the updated PSR by October 17, 2005;

12          6.     The parties shall file any reply sentencing memoranda  
13 and responses to the opposing party's formal objections to the  
14 updated PSR by November 14, 2005; and

15          7.     The Court shall hold a non-evidentiary status hearing  
16 on the resentencing of Epis on November 28, 2005, at 9:30 a.m..  
17 In the event that the Court determines that an evidentiary  
18 hearing is necessary, an evidentiary hearing for a later date  
19 shall be set at that hearing. In the event that the Court  
20 determines that an evidentiary hearing is not necessary to  
21 properly resentence Epis, the Court shall proceed to judgment and  
22 resentencing at the November 28, 2005, hearing.

23  
24 Dated:   July 20, 2005

McGREGOR W. SCOTT  
United States Attorney

25  
26                               /s/ Samuel Wong  
27 By: \_\_\_\_\_  
28                               SAMUEL WONG  
                              Assistant U.S. Attorney

1  
2 Dated: July 20, 2005

/s/ Brenda Grantland

3 BREND A GRANTLAND  
4 Attorney for defendant  
5 Bryan James Epis

6  
7 ORDER

8 The Court having received, read, and considered the above  
9 stipulation of the parties, and good cause appearing therefrom,

10 The Court hereby adopts the stipulation of the parties in  
11 its entirety as its order.

12 It is so ORDERED.

13  
14 Dated: July 21, 2005

15 /s/ Frank C. Damrell Jr.  
16 FRANK C. DAMRELL JR.  
17 United States District Judge  
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